



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

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OFFICE OF  
SOLID WASTE AND EMERGENCY  
RESPONSE

Dear SERC and LEPC Members:

Last November, I contacted you about prudent steps necessary for hazardous materials facilities and emergency services organizations to take to ensure that their operations remain protective of human health and the environment in the year 2000 and beyond. In June, we provided you with a Y2K Alert to help you communicate with industry about their Y2K preparedness. A recent survey indicates that many small and medium-sized enterprises (SMEs) that manufacture, process or use chemicals are not as ready for Y2K as they should be. I am again seeking your assistance to ensure that these facilities develop Y2K contingency plans to prepare for unanticipated problems and to prevent unexpected releases of hazardous chemicals to the environment and surrounding community.

Developing viable Y2K contingency plans in conjunction with state and local officials should be a top priority in the chemical industry. The Y2K survey of SMEs was conducted by the Mary Kay O'Connor Process Safety Center at Texas A&M University. Most facilities responding to the survey had a Y2K plan for addressing problems, however, only about 60% indicated that they will complete their Y2K implementation plans by the end of the year. The survey results indicated that contingency planning is weak. Only 40% of respondents had a Y2K plan that included contingency planning and 85.6 % of facilities have not coordinated their contingency plans with emergency responders.. A majority have not linked their contingency planning to community emergency services such as police, fire and rescue, and hospitals. The complete survey report can be found on the Process Safety Center's Web site at <http://process-safety.tamu.edu/Y2k/Y2k.htm>

Based on the results of this survey, the Process Safety Center recommended critical steps that industry, federal agencies, state and local authorities, and Congress should take to prevent Y2K disasters related to SMEs:

- Continue intensive communications on the need to address Y2K issues and the short time available for remediation;
- Use leverage with suppliers and customers to force remediation of Y2K deficiencies;
- Provide assistance with methodology required to address Y2K problems;
- Publish results on Y2K readiness of specific equipment and procedures to fix them;

- Share testing procedures for Y2K vulnerable equipment; and
- Share contingency planning strategies. Given the shortage of time, special emphasis should be given to contingency planning and communication issues.

I urge you to continue to encourage facilities in your area to develop Y2K contingency plans. Emergency planning organizations and facilities need to coordinate and review emergency response procedures to ensure that resources are in place to cover any possible Y2K consequences. EPA has published guidance and provided Internet links that facilities can use as Y2K resources. I encourage you to publicize their availability. These resources are available on the CEPPO Web site at <http://www.epa.gov/swercepp/y2k.htm> and include:

*EPA/CEPPO Alert: Preventing Year 2000 Emergencies*, EPA 550-F-99-003 (February 1999).

*Addressing Year 2000 Issues in Small and Medium-Sized Facilities that Handle Chemicals*, EPA 550-F-99-011, EPA, Chemical Safety Board and several chemical trade associations (June 1999 )

*Health, Safety, and Environmental Concerns in Chemical Processing* - Supplement to EPA 550-F-99-011, Chemical Manufacturers Association (October 1999)

*Batch Manufacturing Module*- Supplement to EPA 550-F-99-011, Synthetic Organic Chemical Manufacturers Association (October 1999)

*Y2K Contingency Planning Guidelines*, Chemicals Information Technology Association (March 1999)

EPA's Office of Regulatory Enforcement (ORE) requests that SERCs and LEPCs remind SMEs that it is their obligation and responsibility to take prompt and proper measures to prevent releases detrimental to human health and the environment. SME's should already have taken steps, such as those outlined in the enclosed ORE Enforcement Alert and the EPA Y2K Enforcement Policy, for expeditious testing and correction of potentially vulnerable Y2K systems. Facilities that do not take the appropriate safe guards to prevent releases may be subject to both civil and criminal penalties. The ORE Enforcement Alert and the EPA Y2K Enforcement Policy are available at:

EPA's Y2K Enforcement Alert, EPA 300-N-99-010 (August 1999):

<http://www.epa.gov/oeca/ore/enfalert>

EPA's Y2K Enforcement Policy Summary and Link to Policy:

<http://www.epa.gov/oeca/eptdd/ocy2k.html>

EPA's Year 2000 Website:  
<http://www.epa.gov/year2000>

Throughout the year, EPA has been working with the chemical industry to increase awareness of potential Y2K problems, to assess the Y2K status of the industry and to provide technical resources to assist facilities. EPA has participated in many Y2K workshops, conferences and meetings involving the chemical industry. We have worked with trade associations to gather Y2K survey data, to develop technical guidance, and to distribute information in mailings, by email and via EPA and industry Websites. For example, early in the year, a toolkit of fact sheets and technical resource references was distributed to several thousand small businesses and to state Small Business Assistance Centers. Later, the guidance *Addressing Year 2000 Issues in Small and Medium-Sized Facilities that Handle Chemicals* was distributed to the combined 7,000 members of the seven smaller chemical trade associations, 5,000 selected Toxic Release Inventory facilities, and 2,000 pesticide registrants.

One opportunity for facilities to share information about their Y2K compliance would be at public meetings now required for some facilities to discuss their Risk Management Plans (RMPs). The Chemical Safety Information, Site Security and Fuels Regulatory Relief Act, P.L. 106-40, requires RMP facilities in Program 2 and 3 to hold public meetings on their RMP and Off-Site Consequence Analysis (or post a summary if they are a small business stationary source) before February 1, 2000. Some LEPCs have conducted Y2K assessment surveys of their hazardous materials facilities and EPA applauds this outreach. I ask you to continue these efforts and to coordinate with state and local emergency service agencies to ensure that if and when Y2K failures do surface, agencies are able to fulfill their emergency response functions. Let's continue to work with industry to address Y2K and make the transition to year 2000 a safe one.

Sincerely,

Jim Makris  
Director

Chemical Emergency Preparedness and Prevention Office

Enclosure